

REMARKS

Claims 1–22, 30, 32–33, 36–37, 40 and 42–43 are pending in the present application.

Claims 23–29, 31, 34– 35, 38–39 and 41 have been canceled.

Claims 1-22, 30, 32, 33, 36, 37, 40, 42 and 43 are rejected.

Claims 1, 7–8, 12–14, 18–19, 22, 33, 36–37 and 42–43 were amended herein.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 103 (Obviousness)

Claims 1–22, 30, 32–33, 36–37, 40 and 42–43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,356,905 to *Gershman et al.* This rejection is respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-128 (8th ed. rev. 2 May 2004). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.*

To establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or

suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Amended independent claims 1, 33, 36–37, 40 and 42–43 each recite that one device receives a wireless data packet from another device and employs data within that packet to generate an display on the one device for a software application executing on the other device. Such a combination of features is not found in the cited reference.

Therefore, the rejection of claims 1–22, 30, 32–33, 36–37, 40 and 42–43 under 35 U.S.C. § 103 has been overcome.

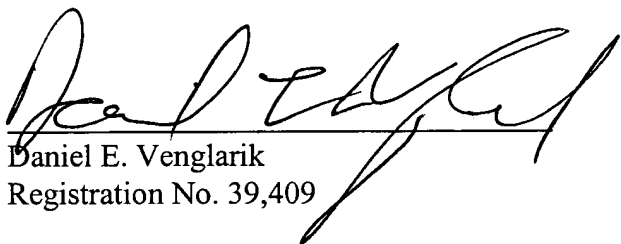
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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